

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DANNI STEINER,

Petitioner,

v.

DOUG WADDINGTON,

Respondent.

Case No. C06-5143 FDB


ORDER DENYING CERTIFICATE
OF APPEALABILITY

The Court adopted the Report and Recommendation in this case, agreeing with the Magistrate Judge that Steiner's habeas corpus petition be denied and dismissed with prejudice as the issues raised were procedurally barred and/or without merit. Petitioner has filed a notice of appeal. In order to proceed this Court must first issue, if appropriate, a certificate of appealability. Petitioner has failed to demonstrate that the Court's decision to dismiss his petition would be debatable or wrong. See, Slack v. McDaniel, 529 U.S. 473, 483-84 (2000).

ACCORDINGLY, IT IS ORDERED:

Certificate of Appealability is denied to Petitioner.

DATED this 17th day of October, 2006


FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE